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2  
3 UNITED STATES DISTRICT COURT  
4 WESTERN DISTRICT OF WASHINGTON  
5 AT TACOMA

6 ANNE K. BLOCK,

7 Plaintiff,

8 v.

9 KING COUNTY SUPERIOR COURT,  
10 et al.,

11 Defendants.

CASE NO. C18-5579 BHS

ORDER GRANTING  
DEFENDANTS' MOTION TO  
DISMISS AND PLAINTIFF'S  
MOTION FOR AN EXTENSION  
OF TIME

12 This matter comes before the Court on the motion to dismiss by Defendants  
13 Amanda Butler, William Clem, Disend, PLLC, Keating Bucklin, McCormack, Inc.,  
14 Shannon Ragonesi, and Ann Marie Soto ("Defendants") (Dkt. 14); and Plaintiff Anne  
15 Block's ("Block") motion for an extension of time (Dkt. 17). The Court has considered  
16 the pleadings filed in support of and in opposition to the motion and the remainder of the  
17 file and hereby rules as follows:

18 **I. PROCEDURAL HISTORY**

19 On July 2, 2018, Block filed a complaint against numerous defendants in Pierce  
20 County Superior Court for the State of Washington. Dkt. 1-1. Block asserts claims for  
21 violations of "the Americans with Disabilities Act (ADA), the First Amendment of the  
22 United States Constitution, and 14th Amendment, in order to obstruct the due course of

1 justice in pending suits involving Plaintiff, and future rights to access public records and  
2 file suits seeking relief under RCW 42.56.” *Id.* ¶ 1.1.

3 On July 18, 2018, Defendants removed the matter to this Court. Dkt. 1.

4 On July 25, 2018, Defendants moved to dismiss. Dkt. 14. On August 14, 2018,  
5 Block filed a motion for extension of time and responded. Dkts. 17, 18.<sup>1</sup> On August 15,  
6 2018, Defendants replied. Dkt. 19.

## 7 II. DISCUSSION

8 Motions to dismiss brought under Rule 12(b)(6) of the Federal Rules of Civil  
9 Procedure may be based on either the lack of a cognizable legal theory or the absence of  
10 sufficient facts alleged under such a theory. *Balistreri v. Pacifica Police Department*,  
11 901 F.2d 696, 699 (9th Cir. 1990). Material allegations are taken as admitted and the  
12 complaint is construed in the plaintiff’s favor. *Keniston v. Roberts*, 717 F.2d 1295, 1301  
13 (9th Cir. 1983). To survive a motion to dismiss, the complaint does not require detailed  
14 factual allegations but must provide the grounds for entitlement to relief and not merely a  
15 “formulaic recitation” of the elements of a cause of action. *Bell Atlantic Corp. v.*  
16 *Twombly*, 127 S. Ct. 1955, 1965 (2007). Plaintiffs must allege “enough facts to state a  
17 claim to relief that is plausible on its face.” *Id.* at 1974.

18 In this case, Defendants argue that Block’s claims against them should be  
19 dismissed as a matter of law because they are entitled to absolute immunity. Dkt. 14 at  
20 6–8. The Court agrees, and Block offers no plausible argument to the contrary. Instead,

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22 <sup>1</sup> The Court grants the motion for an extension of time based on Block’s alleged  
difficulties with the Court’s electronic filing system.

1 Block argues, without citation, that the Washington constitution does not allow for  
2 absolute immunity. Dkt. 18 at 8. Block offers no authority for this proposition and fails  
3 to present a plausible argument to extend any other authority to limit the privilege of  
4 absolute immunity. Thus, the Court rejects this argument.

5 Next, Block asserts that absolute immunity does not bar claims for abuse of  
6 process. Dkt. 18 at 8. Again, she fails to cite any authority for this proposition. Thus,  
7 the Court rejects the argument.

8 Finally, Block cites a number of federal cases for the proposition that absolute  
9 immunity does not apply to federal claims for an abuse of process or acting without  
10 probable cause. Dkt. 18 at 9–11. None of these authorities stand for the proposition she  
11 claims they stand for, and she fails to offer any plausible argument for a reasonable  
12 extension of the law. Therefore, the Court rejects all of Block’s arguments against the  
13 application of absolute immunity. Accordingly, the Court grants Defendants absolute  
14 immunity against Block’s claims.

### 15 **III. ORDER**

16 Therefore, it is hereby **ORDERED** that Defendants’ motion to dismiss (Dkt. 14)  
17 and Block’s motion for an extension of time (Dkt. 17) are **GRANTED**. The Clerk shall  
18 terminate Defendants.

19 Dated this 28th day of September, 2018.

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21 **BENJAMIN H. SETTLE**  
22 United States District Judge